

THE RECORD
ANNUAL TOWN MEETING – JUNE 2 & 9, 2009
TOWN OF BAR HARBOR

The voters of the Town of Bar Harbor assembled in the Emerson School Gymnasium, on Tuesday, June 2, 2009. There were approximately 143 registered voters present. The annual town meeting was called to order at 7:00 p.m. by Town Clerk Patricia A. Gray, who called for action under Article A.

Article A ELECTION OF MODERATOR - *To choose a Moderator to preside at said meeting.* - The Town Clerk opened the floor for the election of Moderator. Chad Smith was nominated as Moderator. There being no other nominations, it was duly moved and seconded that nominations cease. Motion passed unanimously. There were four ballots cast for Moderator; and Chad Smith was declared elected, by a unanimous vote. He was sworn in by the Town Clerk.

Article B ELECTION OF WARRANT COMMITTEE MEMBERS - *To elect Warrant Committee members as required by Section C-34 of the Town Charter.* - Following a brief explanation, by the moderator, as to how the Warrant Committee Nomination Committee met. They submitted the following slate of nominees.

Barbara Baron-Gifford	Amanda Kendall
Peter Blauth	James Kitler
John Dargis	Diane Kopec
Millard Dortiy	Lisa MacQuinn-Tweedie
Cas Dowden	Linda Martin
Michael Gurtler	J. Clark Stivers
Scott Hammond	Raymond Turner
Emily Henry	Susan Richardson
Matthew Hougan	Erik Torbeck
Ron Hurd	Brent Walton
John Kelly	John Willett

There being no further nominations, it was moved, duly seconded, and voted to elect the Warrant Committee for 2010 as presented

Note: Articles C through K authorize expenditures in cost center categories.

Article C **EDUCATION BUDGET EXPENDITURES: Regular Instruction** - To see what sum the School Committee is authorized to expend for **Regular Instruction** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School Committee</i>	<i>Town Council</i>	<i>Warrant Committee</i>
Recommendations:	\$2,422,622	\$2,422,622	\$2,422,622

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 14 to 0.

The Warrant Committee recommended and Chair Mike Gurtler moved, and it was duly seconded, to authorize the School Committee to expend \$2,422,622 for **Regular Instruction** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

School Committee member Claire Sasner moved to amend, and it was duly seconded, to authorize the School Committee to expend \$2,387,622 for **Regular Instruction** for the fiscal year beginning July 1, 2009 and ending June 30, 2010. Motion carried.

VOTED: That the Town authorize the School Committee to expend \$2,387,622 for Regular Instruction for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Article D **EDUCATION BUDGET EXPENDITURES: Special Education** - To see what sum the School Committee is authorized to expend for **Special Education** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School Committee</i>	<i>Town Council</i>	<i>Warrant Committee</i>
Recommendations:	\$ 697,598	\$ 697,598	\$ 697,598

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

The Warrant Committee recommended and Chair Mike Gurtler moved, and it was duly seconded, to authorize the School Committee to expend \$697,598 for **Special Education** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

School Committee member Claire Sasner moved to amend, and it was duly seconded, to authorize the School Committee to expend \$682,598 for **Special Education** for the fiscal year beginning July 1, 2009 and ending June 30, 2010. Motion carried.

VOTED: That the Town authorize the School Committee to expend \$682,598 for Special Education for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Article E **EDUCATION BUDGET EXPENDITURES: Other Instruction -** To see what sum the School Committee is authorized to expend for **Other Instruction** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School Committee</i>	<i>Town Council</i>	<i>Warrant Committee</i>
Recommendations:	\$ 88,481	\$ 88,481	\$ 88,481

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

VOTED: That the Town authorize the School Committee to expend \$88,481 for Other Instruction for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Article F **EDUCATION BUDGET EXPENDITURES: Student & Staff Support** - To see what sum the School Committee is authorized to expend for **Student & Staff Support** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School Committee</i>	<i>Town Council</i>	<i>Warrant Committee</i>
Recommendations:	\$ 435,655	\$ 435,655	\$ 435,655

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

VOTED: That the Town authorize the School Committee to expend \$435,655 for Student & Staff Support for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Article G EDUCATION BUDGET EXPENDITURES: System Administration -
To see what sum the School Committee is authorized to expend for **System Administration** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School Committee</i>	<i>Town Council</i>	<i>Warrant Committee</i>
Recommendations:	\$ 117,007	\$ 117,007	\$ 117,007

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

VOTED: That the Town authorize the School Committee to expend \$117,007 for System Administration for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Article H EDUCATION BUDGET EXPENDITURES: School Administration -
To see what sum the School Committee is authorized to expend for **School Administration** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School Committee</i>	<i>Town Council</i>	<i>Warrant Committee</i>
Recommendations:	\$ 295,158	\$ 295,158	\$ 295,158

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

VOTED: That the Town authorize the School Committee to expend \$295,158 for School Administration for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Article I EDUCATION BUDGET EXPENDITURES: Transportation & Buses

- To see what sum the School Committee is authorized to expend for **Transportation & Buses** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School</i>	<i>Town</i>	<i>Warrant</i>
Recommendations:	<i>Committee</i>	<i>Council</i>	<i>Committee</i>
	\$ 232,960	\$ 232,960	\$ 232,960

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

VOTED: That the Town authorize the School Committee to expend \$232,960 for Transportation & Buses for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Article J EDUCATION BUDGET EXPENDITURES: Facilities Maintenance -

To see what sum the School Committee is authorized to expend for **Facilities Maintenance** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School</i>	<i>Town</i>	<i>Warrant</i>
Recommendations:	<i>Committee</i>	<i>Council</i>	<i>Committee</i>
	\$ 486,782	\$ 486,782	\$ 486,782

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

VOTED: That the Town authorize the School Committee to expend \$486,782 for Facilities Maintenance for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Article K EDUCATION BUDGET EXPENDITURES: All Other Expenditures - To see what sum the School Committee is authorized to expend for **All Other Expenditures** for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

	<i>School</i>	<i>Town</i>	<i>Warrant</i>
Recommendations:	<i>Committee</i>	<i>Council</i>	<i>Committee</i>
	\$ 55,500	\$ 55,500	\$ 55,500

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

VOTED: That the Town authorize the School Committee to expend \$55,500 for All Other Expenditures for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Note: Articles C – K authorize a total budget of \$4,781,763.

Note: Articles L & M raise funds for the Proposed School Budget

Article L EDUCATION BUDGET: Essential Programs and Services – To see what sum the voters of the Town of Bar Harbor will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (Recommend \$3,271,259) and to see what sum the voters of the Town of Bar Harbor will raise as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688 for the period July 1, 2009 to June 30, 2010.

	<i>School</i>	<i>Town</i>	<i>Warrant</i>
Recommendations:	<i>Committee</i>	<i>Council</i>	<i>Committee</i>
	\$3,070,238	\$3,070,238	\$3,070,238

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 18 to 0.

The Warrant Committee recommended and Chair Mike Gurtler moved, and it was duly seconded, to appropriate \$3,271,259 and raise \$3,070,238 as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act for the period July 1, 2009 to June 30, 2010.

School Committee member Brian Hubbell moved to amend, and it was duly seconded, to appropriate \$3,834,755 and raise \$3,616,221 as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act for the period July 1, 2009 to June 30, 2010. Motion carried.

VOTED: That the Town appropriate \$3,834,755 and raise \$3,616,221 as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act for the period July 1, 2009 to June 30, 2010.

HAND COUNT:

YES 108

NO 2

Note: Article M raises additional local funds recommended to support the proposed school budget

Article M **EDUCATION BUDGET: Tax Cap Override** - To see what sum the voters of the Town of Bar Harbor will raise and appropriate in additional local funds for school purposes (Recommend: \$1,412,249) for the period July 1, 2009 to June 30, 2010, which exceeds the State's Essential Programs and Services allocation model by (Recommend: \$1,331,192) as required to fund the budget recommended by the school committee.

Written Ballot Vote Required

The School Committee recommends \$ 1,412,249 for additional local funds and gives the following reasons for exceeding the State's Essential

Programs and Services funding model by \$1,291,483. The State funding model underestimates the actual costs to fully fund the 2009-2010 budget.

	<i>School</i>	<i>Town</i>	<i>Warrant</i>
<i>Recommendations:</i>	<i>Committee</i>	<i>Council</i>	<i>Committee</i>
	\$1,412,249	\$1,412,249	\$1,412,249

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 0.

The Warrant Committee recommended and Chair Mike Gurtler moved, and it was duly seconded, to raise and appropriate \$1,412,249 in additional local funds for school purposes for the period July 1, 2009 to June 30, 2010, which exceeds the State's Essential Programs and Services funding model by \$1,331,192.

School Committee member Brian Hubbell, moved to amend, and it was duly seconded, to raise and appropriate \$816,266 in additional local funds for school purposes for the period July 1, 2009 to June 30, 2010, which exceeds the State's Essential Programs and Services funding model by \$727,934. Motion carried.

VOTED: That the Town raise and appropriate \$816,266 in additional local funds for school purposes for the period July 1, 2009 to June 30, 2010, which exceeds the State's Essential Programs and Services funding model by \$727,934.

WRITTEN VOTE:

YES 106

NO 7

Note: Articles L & M raise a total town appropriation of \$ 4,432,487.

Note: Article N summarizes the proposed school budget and does not authorize any additional expenditures

Article N EDUCATION BUDGET: Total Expenditures- To see what sum the voters of the Town of Bar Harbor will authorize the School Committee to expend for the fiscal year beginning July 1, 2009 and ending June 30, 2010 from the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

	<i>School Committee</i>	<i>Town Council</i>	<i>Warrant Committee</i>
Recommendations:	\$4,831,763	\$4,831,763	\$4,831,763

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 18 to 0.

The Warrant Committee recommended and Chair Mike Gurtler moved, and it was duly seconded, to authorize the School Committee to expend \$4,831,763 for the fiscal year beginning July 1, 2009 and ending June 30, 2010, from the Town of Bar Harbor's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy, and other receipts for the support of schools.

School Committee member Brian Hubbell moved to amend, and it was duly seconded, to authorize the School Committee to expend \$4,781,763 for the fiscal year beginning July 1, 2009 and ending June 30, 2010, from the Town of Bar Harbor's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy, and other receipts for the support of schools. Motion carried.

VOTED: That the Town authorize the School Committee to expend \$4,781,763 for the fiscal year beginning July 1, 2009 and ending June 30, 2010, from the Town of Bar Harbor's contribution to the total cost

of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy, and other receipts for the support of schools.

HAND COUNT:

YES 131

NO 2

Article O EDUCATION BUDGET: State, Federal, and Other Funds - In addition to the amount in Articles C – N, shall the School Committee be authorized to expend such other sums as may be received from state or federal grants or programs or other sources during the fiscal year 2009-2010 for school purposes provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated?.

Current Year Totals: \$174,972

Recommendations:

The School Committee recommends adoption.

The seven member Town Council recommends adoption by a vote of 6 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 18 to 0.

VOTED: That the Town in addition to the amount in Articles C – N, the Town appropriate and authorize the School Committee to expend additional state, federal and other funds received during the fiscal year 2009-2010 for school purposes.

Article P MUNICIPAL BUDGET: Expenditures - To see what sum the Town will raise and appropriate for the Municipal Budget for FY10 (7/1/09 to 6/30/10).

Recommendations:
Total Expenditures

Town Council
\$13,109,657

Warrant Committee
\$13,109,657

The seven member Town Council recommends approval, by a vote of 6 to 0.

The 22 member Warrant Committee recommends approval.

The Warrant Committee recommended and Chair Mike Gurtler, and it was

duly seconded, to raise and appropriate \$13,109,657 for the Municipal Budget for FY10 (7/1/09 to 6/30/10).

Cookie Horner, resident representing Hospice of Hancock County, moved, and it was duly seconded, to amend the budget to reinstate Hospice of Hancock County among the list of non-profits supported annually by the Town of Bar Harbor and that the Town include funding in FY10 in the amount of \$600. Motion carried by unanimous voice vote.

VOTED: That the Town raise and appropriate \$13,110,257 for the Municipal Budget for FY10 (7/1/09 to 6/30/10).

Article Q MUNICIPAL BUDGET: Other Revenues - To see what sum the Town will vote to reduce the amount to be raised by taxation by using estimated revenues and fund balance for the Municipal Budget for FY10 (7/1/09 to 6/30/10).

Recommendations:	Town Council	Warrant Committee
<i>Other Revenues</i>	\$7,783,629	\$7,783,629
<i>Fund Balance</i>	\$ 40,434	\$ 40,434

*The seven member Town Council recommends approval, by a vote of 6 to 0.
The 22 member Warrant Committee recommends approval, by a vote of 18 to 0.*

VOTED: That the Town reduce the amount to be raised by taxation by using \$7,783,629 estimated revenues and \$40,434 fund balance for the Municipal Budget for FY10 (7/1/09 to 6/30/10).

Article R MUNICIPAL BUDGET: Tax Cap Override – To see if the Town will vote to increase the property tax levy limit of \$5,519,253 established for the Town of Bar Harbor by State law in the event that the Municipal Budget approved under the preceding articles will result in a tax commitment that is greater than the property tax levy limit.

Written Ballot Vote Required.

Recommendations:

*The seven member Town Council recommends approval, by a vote of 6 to 0.
The 22 member Warrant Committee recommends approval.*

VOTED: That the Town increase the property tax levy limit of \$5,519,253 established for the Town of Bar Harbor by State law in the event that the Municipal Budget approved under the preceding articles will result in a tax commitment that is greater than the property tax levy limit

WRITTEN VOTE:

YES 108

NO 14

Article S MUNICIPAL BUDGET: State, Federal and Other Funds – In addition to the amount in Article P, shall the voters appropriate and authorize the Town Council to expend additional state, federal and other funds received during FY10 (7/1/09 to 6/30/10) for municipal purposes, provided that such additional funds do not require the expenditure of local funds not previously appropriated?

Recommendations:

*The seven member Town Council recommends approval, by a vote of 6 to 0.
The 22 member Warrant Committee recommends approval, by a vote of 17 to 0.*

VOTED: That the Town in addition to the amount in Article P, the voters appropriate and authorize the Town Council to expend additional state, federal and other funds received during FY10 (7/1/09 to 6/30/10) for municipal purposes, provided that such additional funds do not require the expenditure of local funds not previously appropriated.

Article T EARLY TAX PAYMENT DISCOUNT - To see if the voters will authorize the Tax Collector to accept early payments on the second half installment by the due date of the first half installment and provide the taxpayer with a 2.0% discount on the second installment only.

Recommendations:

*The seven member Town Council recommends approval, by a vote of 6 to 0 .
The 22 member Warrant Committee recommends approval, by a vote of 17 to 0.*

VOTED: That the Town authorize the Tax Collector to accept early payments on the second half installment by the due date of the first half installment and provide the taxpayer with a 2.0% discount on the second installment only.

Article U PREPAYMENT OF TAXES - To see if the Town will vote to accept tax payments prior to the commitment date and to pay interest on said tax payments in the amount of 0% per year figured on a monthly basis until the tax commitment date is reached.

Recommendations:

*The seven member Town Council recommends approval, by a vote of 6 to 0.
The 22 member Warrant Committee recommends approval, by a vote of 17 to 0.*

VOTED: That the Town accept tax payments prior to the commitment date and to pay interest on said tax payments in the amount of 0% per year until the tax commitment date is reached.

Article V TAX DUE DATE AND INTEREST RATE - To see if the Town will vote that the first half taxes shall be due and payable on or before September 30, 2009 and that second half taxes shall be due and payable on or before March 31, 2010 and that interest shall be charged at the annual rate of 9.0% on any unpaid taxes due on September 30, 2009 beginning October 1, 2009 and on any unpaid taxes due March 31, 2010 beginning April 1, 2010.

Recommendations:

*The seven member Town Council recommends approval, by a vote of 6 to 0.
The 22 member Warrant Committee recommends approval, by a vote of 17 to 0.*

VOTED: That the Town's first half taxes shall be due and payable on or before September 30, 2009 and that second half taxes shall be due and payable on or before March 31, 2010 and that interest shall be charged at the annual rate of 9.0% on any unpaid taxes due on September 30, 2009 beginning October 1, 2009 and on any unpaid taxes due March 31, 2010 beginning April 1, 2010.

Article W OVERPAYMENT OF TAXES - To see if the Town will vote to establish

the interest rate to be paid to a taxpayer who is determined to have paid an amount of real estate taxes in excess of the amount finally assessed for 2009 at 9.0% per year on the amount of overpayment.

Recommendations:

*The seven member Town Council recommends approval, by a vote of 6 to 0.
The 22 member Warrant Committee recommends approval, by a vote of 18 to 0.*

VOTED: That the Town establish the interest rate to be paid to a taxpayer who is determined to have paid an amount of real estate taxes in excess of the amount finally assessed for 2009 at 9.0% per year on the amount of overpayment.

Article X

**APPROVAL OF BONDS FOR TOWN OF BAR HARBOR
BUILDING CONSTRUCTION AND INFRASTRUCTURE**

FINANCING – To see if the Town of Bar Harbor will adopt the following vote to borrow monies to assist in the financing of construction and infrastructure costs for the following:

1. That capital improvement projects (listed below) consisting of road and sidewalk construction, building renovations, park improvements, new restrooms and water main construction, and including design work and transaction costs related thereto, is hereby approved; with the following estimated allocation of costs;

a. Roads and storm drains	\$3,179,127
b. Sidewalks	\$ 535,212
c. Newport Ave. Comfort Station	\$ 467,745
d. Town Office Renovations	\$ 230,863
e. Barker Park	\$ 75,000
f. Public Safety building repairs	\$ 28,000
g. Harborview Park	<u>\$ 25,000</u>
	\$4,540,947
-
- Water Main Construction-(to be repaid from user fees) \$ 600,000
-
- Total Bonding \$5,140,947
-
2. That a sum not to exceed \$5,140,947 is hereby appropriated to provide for the costs of said construction projects; and
-
3. That the Treasurer and Chairman of the Town Council, acting pursuant to the provisions of 30-A M.R.S.A. Section 5772, are hereby

authorized to issue general obligation securities of the Town of Bar Harbor (with or without call provisions and with or without premium, and including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed Four Million five hundred forty thousand nine hundred forty seven dollars (\$5,140,947); and

4. That the discretion to fix the date(s), maturity(ies), interest rate(s), denominations(s), place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Bar Harbor, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Town Council.

FINANCIAL STATEMENT

As of June 2, 2009

1. Total Town Indebtedness

A. Bonds outstanding and unpaid	\$10,285,181
B. Bonds authorized and unissued	\$ 1,000,000
C. Bonds to be issued if this article is approved:	\$ 5,140,947

2. Costs

At an estimated interest rate of 5.0% for a twenty (20) year maturity, the estimated costs for this bond issue will be:

(to be repaid from property taxation)

Principal	\$ 4,540,947
Interest	<u>\$ 2,746,600</u>
<u>Total Debt Service</u>	<u>\$ 7,287,547</u>

(to be repaid from water user fees)

Principal	\$ 600,000
Interest	<u>\$ 362,911</u>
<u>Total Debt Service</u>	<u>\$ 962,911</u>

3. Validity

The validity of the bond and of the voters' ratification of the bond may not be affected by any error in the above statements. If the actual amount of the total debt service for the bond issues varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/

Stanley W. Harmon
Treasurer
Town of Bar Harbor

Recommendations:

*The seven member Town Council recommends approval, by a vote of 6 to 0.
The 22 member Warrant Committee recommends approval, by a vote of 18
to 0.*

VOTED: That the Town of Bar Harbor adopt the following vote to borrow monies to assist in the financing of construction and infrastructure costs for the following:

- 1. That capital improvement projects (listed below) consisting of road and sidewalk construction, building renovations, park improvements, new restrooms and water main construction, and including design work and transaction costs related thereto, is hereby approved; with the following estimated allocation of costs;**

a. Roads and storm drains	\$3,179,127
b. Sidewalks	\$ 535,212
c. Newport Ave. Comfort Station	\$ 467,745
d. Town Office Renovations	\$ 230,863
e. Barker Park	\$ 75,000
f. Public Safety building repairs	\$ 28,000
g. Harborview Park	<u>\$ 25,000</u>
	\$4,540,947

Water Main Construction-(to be repaid from user fees)	<u>\$ 600,000</u>
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Total Bonding **\$5,140,947**

- 2. That a sum not to exceed \$5,140,947 is hereby appropriated to provide for the costs of said construction projects; and**

- 3. That the Treasurer and Chairman of the Town Council, acting pursuant to the provisions of 30-A M.R.S.A. Section 5772, are hereby authorized to issue general obligation securities of the Town of Bar Harbor (with or without call provisions and with or without premium, and including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed Four Million five hundred forty thousand nine hundred forty seven dollars (\$5,140,947); and**

- 4. That the discretion to fix the date(s), maturity(ies), interest rate(s), denominations(s), place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Bar Harbor, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Town Council.**

There being no further business at 8:16 p.m.; this portion of Town meeting recessed only to continue Town meeting on Tuesday, June 9, with polls opening at 8:00 a.m. and to take action on the election of officers and referendum articles.

Town Meeting Reconvened

June 9, 2009

Election of Officers and Referendum Articles

Moderator Chad Smith opened the polls at 8:00 a.m. and appointed Richard Hirte as deputy moderator, who was duly sworn in to serve in his place during his absence from the polls. The following ballot clerks having been appointed and duly sworn in, were in attendance for the election: Democrats – Anna Ryan, James Applewhite, and Valerie Davis; and Republicans – Eleanor Raynes, and Sherri Alley.

Article 1 – ELECTION OF OFFICERS - *To elect all necessary Town Officers as are required to be elected by secret ballot.*

1,119 municipal ballots were cast including 91 absentee ballots. There were fourteen spoiled ballots.

1,076 school budget validation ballots were cast including 54 absentee ballots. There was one spoiled ballot.

For Town Council – Three Year Term – Two vacancies

Jane Disney	received	506
Christopher S. Maller, Sr.	received	305
James N. Riley, Jr.	received	139
Julia B Schloss	received	397
Peter St. Germain	received	495

Write-Ins: The following each received one vote: Sandy McFarland, Robert Garland, Michael Good, Shelley Mitchell, Matthew McEachern, Carol Mattingly. There were two invalid votes.

Declared elected: Jane Disney and Peter St. Germain

For Superintending School Committee – Three Year Term – One vacancy

Matthew W. McEachern	received	436
Paul G. Murphy	received	460

Write-Ins: Zero

Declared elected: Paul Murphy

For Mount Desert Island School District Trustee – Two Year Term – One vacancy

Write-Ins: The following number of votes were cast for: Shelley Mitchell ten, Susan Maristany nine, Sandy McFarland, three, Matthew McEachern three, Rachel Hageman two, and two invalid. The following received a single vote: Arthur Greif, Timothy O'brien, Peter Hasings, Robert Jordan, Steve Sprague, Samuel Burne, Shelley McEachern, Ken Smith, Mary Cline, Bent Walton, Steve Demers, Robert Webber, Jane Disney, Jean Silva, Elisa Hurley, Laura Horner, John Dargis, Laurie Alley, Paul Murphy, Donna Burton, Chris Maller, Lisa Krautwald, Susan Murphy, Barry White.

Declared elected: Shelley Mitchell

For Mount Desert Island School District Trustee – Three Year Term – One vacancy

Write-Ins: The following number of votes were cast for: Lisa Krautwald seven, Shelley Mitchell three, Chad Smith two, Paul Murphy two, and three invalid. The following received a single vote: Sue Blaisell, Joe Minutolo, Christina Hines, Robert Jordan, Paul Paradis, Bob Webber, James Willis, Elisa Hurley, Sandy McFarland, Colin Capers, Julia Schloss, Robert Chaplin, John Dargis, Tuesday Woodworth, Matthew McEachern, Levern Blare (Laverne Blair), Matthew Gerrish, Donna Burton, Chris Maller, Alison Holmquist, Susan Murphy.

Declared elected: Lisa Krautwald

Article 2 - LAND USE ORDINANCE AMENDMENT – Signage and Design Review Board Jurisdiction – Shall an Ordinance dated February 10, 2009 and entitled “An amendment to the Bar Harbor Code, Chapter 125, Land Use Ordinance Section 125-67, Section 125-109, Section 125-112 and Section 125-114 to change standards for Signage and Design Review Board Jurisdiction be enacted?

Recommendations:

The five member Planning Board recommends adoption by a vote of 5 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 16 to 1.

Voted: This article passed by the following votes:

YES 754

NO 283

Article 3 – LAND USE ORDINANCE AMENDMENT - Vacation Rentals – Shall an Ordinance dated February 10, 2009 and entitled “An amendment to the Bar Harbor Code, Chapter 125, Land Use Ordinance Section 125-54, and Section 125-109, to clarify non-conforming protections for vacation rentals and distinguish between the definition of a lot and a condominium be enacted?

Recommendations:

The five member Planning Board recommends adoption by a vote of 5 to 0.

The 22 member Warrant Committee recommends adoption by a vote of 17 to 1.

Voted: This article passed by the following votes:

YES 763

NO 290

Article 4 – CITIZENS’ INITIATIVE: Moratorium Ordinance - Shall an ordinance entitled “Town Hill Village Development Moratorium Ordinance” be enacted?

Recommendations:

The seven member Town Council recommends not to approve, by a vote of 2 to 1, with 3 recused and 1 absent.

The 22 member Warrant Committee recommends approval, by a vote of 12 to 6.

Voted: This article defeated by the following votes:

YES 499

NO 606

Article 5 – SCHOOL BUDGET VALIDATION: Do you favor approving the Town of Bar Harbor school budget for the upcoming school year that was adopted at the latest Town meeting?

Voted: This article passed by the following votes:

YES 910

NO 143

The meeting adjourned at 10:37 p.m.

Attest:

Patricia A. Gray Town Clerk of Bar Harbor
